Weeds and Agricultural Seeds (Ireland) Bill.

[AS AMENDED IN COMMITTEE.]

ARRANGEMENT OF CLAUSES.

PART I.

Clause.

1. Definition of noxious weeds by the Department of Agriculture.
2. Destruction of noxious weeds.
3. Entry on premises.
4. Notices.

PART II.

AGRICULTURAL SEEDS.

5. Power to examine and take samples of agricultural seeds.
6. Testing of agricultural seeds and publication of results.

PART III.

GENERAL.

7. Obstruction of officers.
8. Prosecution of offences.
9. Interpretation.
10. Extent, commencement, and short title.

CAPITAL IRISH LIBRARY

Printed image digitised by the University of Southampton Library Digitisation Unit

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Prevent the spread of Noxious Weeds in Ireland, and to make provision for the testing of Agricultural Seeds. A.D. 1909.

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

5 PART I.

Definition of noxious weeds by the Department of Agriculture.

1.—(1) The Department of Agriculture and Technical Instruction for Ireland (in this Act referred to as "the Department") may, with the consent of the council of any county, make an order declaring that throughout the county all plants of any 10 species to which this section applies are noxious weeds for the purposes of this Part of this Act.

(2) The species of plants to which this section applies are ragwort, charlock, coltsfoot, thistle, and dock, and the order may include all or any of those species.

15 (3) The consent of the county council shall be signified by a resolution passed at a meeting of the council, and a copy of the resolution under the seal of the council shall be accepted as sufficient evidence of such consent.

(4) The Department, with the consent of the county council, 20 or the county council, may revoke or alter any order made under this section.

Destruction of noxious weeds.

2.—(1) Where the Department are satisfied that there are noxious weeds growing upon any land, they may serve upon

Printed image digitised by the University of Southampton Library Digitisation Unit

A.D. 1909.

the occupier of the land a notice in writing requiring him to cut down or destroy those weeds in the manner and within the time specified in the notice.

(2) If any occupier upon whom a notice is served under this section fails to carry out the requirements of the notice within the time therein specified, he shall be guilty of an offence under this Act, and shall be liable on summary conviction to a penalty not exceeding, for the first offence, five pounds, and for the second or any subsequent offence, ten pounds.

Entry on premises.

3. Any officer of the Department shall have power at all reasonable hours to enter upon any land for the purpose of ascertaining whether any noxious weeds are growing thereon.

Notices.

4.—(1) Any notice which the Department are authorised to serve under this Act shall be sufficiently authenticated if signed by the secretary or other officer of the Department.

(2) Any such notice may be served by delivering the same or a true copy thereof either to or at the usual or last-known residence of the person to whom it is addressed, or where addressed to the occupier of premises then to some person on the premises, or, if there is no person on the premises who can be so served, then by fixing the same or a true copy thereof on some conspicuous part of the premises; it may also be served by sending the same or a true copy thereof by post addressed to a person at such residence or premises as above mentioned.

(3) Any such notice may be addressed by the description of the "occupier" of the premises (naming them) in respect of which the notice is served without further name or description.

Part II.

Agricultural Seeds.

Power to examine and take samples of agricultural seeds.

5.—(1) Any officer of the Department shall have power at all reasonable hours to enter the shop, store, or other premises of any person who sells or exposes or keeps for sale agricultural seeds for sowing, and to examine and take samples of any agricultural seeds that are upon the premises.

(2) The person on whose premises a sample of agricultural seeds is taken under this section shall, if the officer requires, give the name and address of the person from whom he procured the seeds; and if he refuses to give such name and address, or

Printed image digitised by the University of Southampton Library Digitisation Unit

wilfully gives a false name or address, he shall be guilty of an offence under this Act and shall be liable on summary conviction to a penalty not exceeding ten pounds. A.D. 1909.

6. The Department may cause any sample of agricultural seeds taken under this Act to be tested for purity and germination, and may publish in such manner as they think fit the results of the tests and the names and addresses of the persons upon whose premises the samples were taken, and of the persons from whom the seeds were stated to have been procured. Testing of agricultural seeds and publication of results.

Part III.

General.

7. If any person refuses to allow any officer of the Department to enter any land or premises which he is entitled to enter under this Act, or obstructs or impedes him in the execution of his duty, he shall be guilty of an offence under this Act and shall be liable on summary conviction to a penalty not exceeding five pounds. Obstruction of officers.

8.—(1) Offences under this Act may be prosecuted, and penalties recoverable under this Act may be recovered in a summary manner. Prosecution of offences.

(2) All penalties recovered under this Act shall, notwithstanding any provision in any other Act, be paid to the Department, and shall be applied in aid of the expenses of the Department in the execution of this Act.

9. In this Act, unless the context otherwise requires— Interpretation.

The expression "noxious weed" means any plant declared by an order of the Department under this Act to be a noxious weed in any county to which the order applies:

The expression "agricultural seeds" means the seeds of grass, clover, flax, cereals, turnips, rape, mangel, carrots, cabbage, or parsnips:

The expression "occupier" shall be deemed to include—

(*a*) in the case of any public road, the county or district council by whom the road is maintained;

Printed image digitised by the University of Southampton Library Digitisation Unit

A.D. 1909.

(*b*) in the case of any land the occupier of which (being an individual) is absent from Ireland, any agent or other person entrusted with the management of the land on his behalf.

Extent, commencement, and short title.

10. This Act shall apply to Ireland only and shall come into operation on the first day of January nineteen hundred and ten, and may be cited as the Weeds and Agricultural Seeds (Ireland) Act, 1909.

Weeds and Agricultural Seeds (Ireland).

A

B I L L

[AS AMENDED IN COMMITTEE]

To prevent the spread of Noxious Weeds in Ireland, and to make provision for the testing of Agricultural Seeds.

Presented by Mr. T. W. Russell.

Ordered, by The House of Commons, *to be Printed,* 30 *August* 1909.

PRINTED BY EYRE AND SPOTTISWOODE, LTD.,
PRINTERS TO THE KING'S MOST EXCELLENT MAJESTY.

And to be purchased either directly or through any Bookseller from
WYMAN AND SONS, LTD., Fetter Lane, E.C., and
32, Abingdon Street, Westminster, S.W., or
OLIVER AND BOYD, Tweeddale Court, Edinburgh, or
E. P. ROGERS, 116, Grafton Street, Dublin.

[*Price* 1*d.*]

[Bill 314.]

Printed image digitised by the University of Southampton Library Digitisation Unit